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6 **UNITED STATES DISTRICT COURT**  
7 **DISTRICT OF NEVADA**  
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9 DIRK KLINKE, ) 3:12-cv-00032-RCJ-WGC  
10 Plaintiff, )  
11 vs. ) **ORDER**  
12 ROBERT BANNISTER, *et al.*, )  
13 Defendant(s) )  
14

15 Before the court is Plaintiff's motion (Doc. #32)<sup>1</sup>, wherein Plaintiff asks the court for an order  
16 granting the Motion for Leave to Proceed *in forma pauperis* (Doc. #1). A review of the docket herein  
17 reflects that the portion of the screening order (Doc. # 3) which initially granted Plaintiff *in forma*  
18 *pauperis* status was subsequently vacated (Doc. # 6) to allow Plaintiff to file an amended complaint,  
19 which he did (Doc. # 7). The screening order on the amended complaint noted that "Plaintiff's  
20 Application to Proceed *in forma pauperis* remains deferred at this time." (Doc. # 9 at 1). Following  
21 the initial stay of 90 days, the court allowed an additional stay for the parties hereto to conduct a  
22 second mediation session. (Doc. # 15.) That mediation was unsuccessful (Doc. # 17). An order was  
23 then entered directing the clerk to serve Plaintiff's first amended complaint (Doc. # 18), which order  
24 neglected to address Plaintiff's *in forma pauperis* motion (Doc. # 1).

25 **IT IS THEREFORE ORDERED** that Plaintiff's Application to Proceed *in Forma Pauperis*  
26 (Doc. #1) is **GRANTED**. Plaintiff shall not be required to pay an initial partial filing fee. However,  
27 even if this action is dismissed, the full filing fee must still be paid pursuant to 28 U.S.C. § 1915(b)(2).  
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<sup>1</sup> Refers to court's docket number.

1       **IT IS FURTHER ORDERED** that the movant herein is permitted to maintain this action to  
2 conclusion without the necessity of prepayment of any additional fees or costs or the giving of security  
3 therefor. This Order granting *in forma pauperis* status shall not extend to the issuance of subpoenas  
4 at government expense.

5       **IT IS FURTHER ORDERED** that, pursuant to 28 U.S.C. § 1915(b)(2), the Nevada  
6 Department of Corrections shall pay to the Clerk of the United States District Court, District of  
7 Nevada, 20% of the preceding month's deposits to Plaintiff's account (inmate #1050952), in the  
8 months that the account exceeds \$10.00, until the full \$350 filing fee has been paid for this action. The  
9 Clerk of the Court shall send a copy of this Order to the Finance Division of the Clerk's Office. The  
10 Clerk shall also send a copy of this Order to the attention of the Chief of Inmate Services for the  
11 Nevada Department of Corrections, P.O. Box 7011, Carson City, NV 89702.

12 || IT IS SO ORDERED.

13 DATED: April 18, 2013.

William G. Cobb  
WILLIAM G. COBB  
UNITED STATES MAGISTRATE JUDGE